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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,191	04/02/2001	Takeshi Shishido	35.C15262	7314
55 14	7590 03/11/2005		EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			PADGETT, MARIANNE L	
	FELLER PLAZA C. NY 10112		ART UNIT	PAPER NUMBER
			1762	
			DATE MAILED: 03/11/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)	······································
Advisory Action	09/822,191	SHISHIDO ET AL.	
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Marianne L. Padgett	1762	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress
THE REPLY FILED 25 February 2005 FAILS TO PLACE THIS	APPLICATION IN CONDITION FO	OR ALLOWANCE.	
1.  The reply was filed after a final rejection, but prior to filing applicant must timely file one of the following replies: (1) application in condition for allowance; (2) a Notice of Application (RCE) in compliance time periods:	an amendment, affidavit, or other peal (with appeal fee) in complianc	evidence, which plac e with 37 CFR 41.31;	es the or (3) a
<ul> <li>a) The period for reply expiresmonths from the mailing of the period for reply expires on: (1) the mailing date of this Advevent, however, will the statutory period for reply expire later the</li> </ul>	isory Action, or (2) the date set forth in th	e final rejection, whicheven	er is later. In no
Examiner Note: If box 1 is checked, check either box (a) or (b). MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f)	ONLY CHECK BOX (b) WHEN THE F	RST REPLY WAS FILE	
Extensions of time may be obtained under 37 CFR 1.136(a). The date on been filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened sta above, if checked. Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL	nd the corresponding amount of the fee. atutory period for reply originally set in the	The appropriate extension final Office action; or (2)	on fee under 37 as set forth in (b)
2. The reply was filed after the date of filing a Notice of App was filed on A brief in compliance with 37 CFR 4 Appeal (37 CFR 41.37(a)), or any extension thereof (37 CAppeal has been filed, any reply must be filed within the	1.37 must be filed within two mont CFR 41.37(e)), to avoid dismissal of	ths of the date of filing of the appeal. Since a	g the Notice of
AMENDMENTS  3. The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brie	f will not be entered	hecause
(a) They raise new issues that would require further co	nsideration and/or search (see NCw);	TE below);	
<ul> <li>(c) ☐ They are not deemed to place the application in being appeal; and/or</li> <li>(d) ☐ They present additional claims without canceling a</li> </ul>	., .		ine issues for
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1	16 and 41.33(a)).	-	LIDTOL 204)
<ul> <li>4.  The amendments are not in compliance with 37 CFR 1.1</li> <li>5.  Applicant's reply has overcome the following rejection(s</li> </ul>	): See Continuation Sheet.	•	
<ol> <li>Newly proposed or amended claim(s) would be a the non-allowable claim(s).</li> </ol>	llowable if submitted in a separate	, timely filed amendm	nent canceling
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed:		rill be entered and an	explanation of
Claim(s) objected to: Claim(s) rejected: 1,5-15 and 19-30. Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
8. The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e).			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appery and was not earlier presented.	al and/or appellant fa See 37 CFR 41.33(d)(	nils to provide a (1).
<ul> <li>10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER</li> <li>11. ☒ The request for reconsideration has been considerated because:</li> </ul>		-	
See Continuation Sheet.  12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-12449) Paper	No(s).	
13. Other:	(		

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Application No.
Part of Paper No. 20050306

Continuation of 3. NOTE: The requirement of using a heating element of generic metal is a new issue, as it is the 1st time heating element has been positively introduced into the claims & as the previously specifically required metals have been removed from the claims, so that previously removed references must be reconsidered, as well as all kinds of metal heating elements. The placement & necessary differentiation of the "plasma blocking means" with respect to the new heating element is a new issue, esp. further considered with the dependant claims.

Continuation of 5. Applicant's reply has overcome the following rejection(s): the amendments would appear to adequately differentiate from copending 10/776,173, thus removing the obviousness double patenting therewith.

Continuation of 11. Does NOT place the application in condition for allowance because: The new issues need further consideration with respect to prior art in the case/ rejections & further search.